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Atty. Dkt. No. 041203-0138  
Appl. Ser. No. 09/812,720RECEIVED  
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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mellencamp, Mark W.  
Title: EQUINE HERPESVIRUS VACCINE  
Appl. No.: 09/812,720  
Filing Date: 03/20/2001  
Examiner: Foley, Shanon A.  
Art Unit: 1648

<b>CERTIFICATE OF EXPRESS MAILING</b>	
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.	
EL 979071337 US	January 13, 2004
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Suzanne Langley	
(Printed Name)	
	
(Signature)	

Mail Stop NON-FEE AMENDMENT  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF SUPPLEMENTAL AMENDMENT UNDER 37 C.F.R. § 1.111**

Transmitted herewith is an amendment in the above-identified application.

Also enclosed are the following references:

1. "Lack of virulence of the murine fibroblast adapted strain, Kentucky A (KyA), of equine herpesvirus type 1 (EHV-1) in young horses," Matsumura et al., Veterinary Microbiology 48 (1996) pp. 353-365.
2. "Equine herpesvirus-1 strain KyA, a candidate vaccine strain, reduces viral titers in mice challenged with a pathogenic strain, RacL," Colle, III et al., Virus Research 43 (1996) pp. 111-124.
3. "Protective immunity against equine herpesvirus type-1 (EHV-1) infection in mice induced by recombinant EHV-1 gD," Zhang et al., Virus Research 56 (1998) pp. 11-24.

[ X ] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447. If any extensions of time are needed for timely acceptance of

papers submitted herewith, applicant hereby petitions for such extension under  
37 C.F.R. §1.136 and authorizes payment of any such extensions fees to  
Deposit Account No. 06-1447.

Please direct all correspondence to the undersigned attorney or agent at the  
address indicated below.

Respectfully submitted,

Date 1/13/04

By M. Scott McBride

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